

**From:** [Mark Simms](#)  
**To:** [Craig Samek](#)  
**Cc:** [Joe Fontenot \(jfontenot@sioux-city.org\)](#); [Justin Vondrak](#); [kim.cole@kimhec.com](#)  
**Subject:** RE: NOV 12-26-2018  
**Date:** Monday, January 07, 2019 12:25:00 PM

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**Craig,**

I know there is plenty going on so another request to look at something could be too much straw on the camel's back- I'm wondering if we generally have copied SSC on NOV's for IU's in their city- including BOE violations? There is a claim that we have not done so over the past 3.5 months- but I don't know that we have any specific obligation or request from them- or, when we have copied them, if SSC has acknowledged receipt or expressed a desire to be informed? Or, if SSC has offered to assist us in any way since this is one of their IU's.

I do recall that we cc'd NSC on Interbake pH issues and NSC did not seem to care or acknowledge and did not come to meetings when we invited them out of courtesy.

I know that you have cc'd or separately sent copies of enforcement to anyone who has requested (BPI, NDEQ as examples).

I'm reviewing the recent letter from SSC to prepare for council questions, should they arise, and to provide something to Justin should he choose to prepare a written response.

**Kim and Joe**, what are your thoughts/suggestions on cc'ing SSC on enforcement actions? I generally would say we could/should do it out of courtesy, but also with the thought that the city might then extend a response and a willingness to assist us? I also believe we have often copied them, but it is hard to always cc everyone we "think" that maybe we should without a request from them specifically.

**Joe**, if you care to offer responses to any of the things in that letter please let Justin and I know. I realize you just recently were able to read it.

**Justin**, I will have at least a partial list of what I consider as inaccuracies or false claims in the SSC letter for council should there be such a need. May not get it completed, but will have something.

Mark Simms  
Utilities Director  
City of Sioux City  
O: 712.279.6957

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**From:** Craig Samek  
**Sent:** Wednesday, December 26, 2018 1:07 PM

**To:** Desiree McCaslen <dmccaslen@bigoxenergy.com>; Jason Osbahr <JOsbahr@bigoxenergy.com>; Bill Tyndall <btyndall@netleasecapital.com>; wguerry@kelleydrye.com

**Cc:** Mark Simms <msimms@sioux-city.org>; Joe Fontenot <jfontenot@sioux-city.org>; Justin Vondrak <jvondrak@sioux-city.org>; Kim Cole <kim.cole@kimhec.com>; Tom Roos <tom.roos@dnr.iowa.gov>; Hucka, Ben <ben.hucka@dnr.iowa.gov>; Marshall, Paul <Marshall.Paul@epa.gov>; Jody Anderson <JAnderson@bigoxenergy.com>; jason.windhorst@nebraska.gov

**Subject:** NOV 12-26-2018

Good afternoon,

Attached is NOV issued 12-26-2018. The document was delivered at 11:40 am. Jody Anderson signed on behalf of Desiree McCaslen who was not present.

Please note that the enforcement letter addresses the response for NOV 12-7-2017 which required written response within 10 days of receipt. The response is now 8 days late and will be fully enforced until the City receives proper response for the violation. Each violation requires written response due within 10 days of receipt.

Please let me know if there are any questions.

Respectfully,

Craig Samek  
SC WWTP  
Pretreatment Coordinator

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